



146.1286

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: :  
 T. SHIMURA et al :  
 Serial No.: 068,253 :  
 Filed: May 13, 1998 :  
 For: CARTILAGE/BONE...REPARATION :

600 Third Avenue  
 New York N.Y. 10016  
 July 30, 1998

COMPLETION OF APPLICATION

Asst. Commissioner for Patents  
 Washington, D.C. 20231

Sir:

Responsive to the notice of July 24, 1998 regarding missing parts of the application, it should be noted that the application was completed on June 9, 1998 as can be seen from a copy of the return receipt card submitted herewith. Also submitted herewith is a copy of the notice of missing parts. Therefore, the filing of the application is complete and the application should be forwarded to the group for examination in due course.

Respectfully submitted,  
 Bierman, Muserlian and Lucas

By:

Charles A. Muserlian  
 Charles A. Muserlian #19,683  
 Attorney for Applicants  
 Tel.# (212) 661-8000

CAM:ds  
 Enclosures

Express Mail<sup>®</sup> label  
 number—  
 Date of Deposit July 30, 1998  
 I hereby certify that the enclosed or items  
 being deposited are the original documents  
 of the applicant and are the property of the  
 United States Patent and Trademark Office.  
 Service under 35 U.S.C. 1.10 on the enclosed  
 above and is addressed to the Commissioner  
 of Patents and Trademarks, Washington, D.C.  
 20501.

July 30, 1998  
D. Falcone  
 (Signature of person mailing paper or fee)

146.1286

June 9, 1998

CAM:ds

In re Application of: T. SHIMURA et al

Serial No.: 068,253

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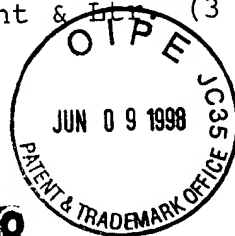
For: CARTILAGE/BONE...FOR REPARATION

Received: Completion of Application ltr.

Executed PCT Declaration (3 pages)

Executed PCT Assignment & Ltr. (3 pages)

Check for \$170.00



52 Rec'd PCT/PTO 09 JUN 1998



UNITED STATES DEPARTMENT OF COMMERCE  
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09/068253  
U.S. APPLICATION NO. 09/068,253  
SHIMURA  
FIRST NAMED APPLICANT  
T  
ATTY. DOCKET NO. 1461286

BIERMAN MUSERLIAN & LUCAS  
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NEW YORK NY 10016

5611

INTERNATIONAL APPLICATION NO.

PCT/JP96/03333

I.A. FILING DATE

PRIORITY DATE

11/14/96

11/17/95

DATE MAILED: 07/24/98

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),  
☐ an Elected Office (37 CFR 1.495):

- ☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☒ a non-English language.  
☐ English.

- ☐ Translation of the international application into English.  
☐ Oath or Declaration of inventors(s) for DO/EO/US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☐ The International Preliminary Examination Report in English and its Annexes, if any.  
☐ Translation of Annexes to the International Preliminary Examination Report into English.  
☒ Preliminary amendment(s) filed 13 May 98 and 13 May 98  
☐ Information Disclosure Statement(s) filed 13 May 98 and 13 May 98  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed 13 May 98  
☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.  
☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.  
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917  
☐ PTO-875

☐ Notice of Defective Translation

Shelby Vigil

PCT International Division

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703) 305-3153

RECEIVED  
JUL 29 1998

BIERMAN, MUSERLIAN AND LUCAS

8/24/98  
9/24/98(+1)  
10/24/98(+2)  
11/24/98(+3)  
12/24/98(+4)